

HOUSE No. 2637

By Mr. Kaufman of Lexington, petition of Jay R. Kaufman and others that the Department of Public Health be directed to promulgate regulations governing the administration of medication to children in schools. Public Health.

The Commonwealth of Massachusetts

PETITION OF:

Jay R. Kaufman Alice Hanlon Peisch
John W. Scibak

In the Year Two Thousand and Five.

AN ACT RELATIVE TO ACCESS TO EPINEPHRINE IN SCHOOLS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Chapter 71 of the General Laws is hereby amended by striking
- 2 out section 54B, as appearing in the 2002 Official Edition, and
- 3 inserting in place thereof the following section:—
- 4 Section 54B. Notwithstanding any general or special law to the
- 5 contrary, the department of public health shall promulgate regula-
- 6 tions governing the administration of medications, including psy-
- 7 chotropic medications to children in school settings, in accordance
- 8 with sections seven and nine of chapter ninety-four C. In devel-
- 9 oping such regulations, the department shall consult with the
- 10 board of registration in nursing and the board of registration in
- 11 medicine.
- 12 Notwithstanding any general or special law or regulation to the
- 13 contrary, no school district shall prohibit students with asthma or
- 14 other respiratory diseases from possessing and administering pre-
- 15 scription inhalers or students with life-threatening allergies from
- 16 possessing and administering epinephrine in accordance with
- 17 department of public health regulations concerning students' self-
- 18 administration of prescription medications.
- 19 A school district must allow storage of epinephrine in a secure
- 20 but unlocked place, as determined by the school nurse, accessible

21 only to authorized persons, located in every part of the school
22 grounds where an allergic student is most at risk such as class-
23 rooms and lunchrooms.

24 Notwithstanding any general or special law or regulation to the
25 contrary, no school district shall prohibit students with cystic
26 fibrosis from possessing and administering prescription enzyme
27 supplements in accordance with department of public health regu-
28 lations concerning students' self-administration of prescription
29 medications.